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British shipowners have shown a sympathetic understanding of the reasons for imposition of the interdiction on shipping bound for Cuba, but are anxious lest their cooperation in the immediate context of the arms blockade should, by setting a precedent, prejudice their long term interest. Her Majesty's Government view the situation in a similar light. As a leading maritime nation they feel bound to avoid as far as possible any situation in which they can be seen to be condoning a breach of the principle of freedom of navigation or of international law relevant to it. Drastic enforcement of the blockade measures against British shipping would cause acute difficulties for us in Parliament and outside, and would be liable to alienate much of the present public sympathy with and support for Her Majesty's Government's stand behind the United States.

Her Majesty's Government are not satisfied as to the legality of the blockade in international law. However, for the reasons given above they are anxious to play down the legal aspects. They think it reasonable that the United States Government for their part should help by applying their interdiction to British ships with the utmost restraint and discrimination.

There are four categories of British ships to be taken into account:

- (i) ships entering the Caribbean from any port but not destined for Cuba;
- (ii) ships destined for Cuba which have not loaded at a Communist port;
- (iii) tankers destined for Cuba from Communist ports;
- (iv) dry cargo ships destined for Cuba from Communist ports.

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Her Majesty's Government hope that the United States Government will agree that, for the first three categories, action by the blockade forces can be confined to identification.

As regards the last category, it is now more improbable than ever that any British master would knowingly attempt to carry to Cuba any of the items in the proclamation on interdiction or indeed arms of any description. Her Majesty's Government realise however that the Russians may try to evade the blockade by using British ships for the carriage of, for instance, electronic equipment disguised as innocent cargo. British masters are being asked to exercise the utmost vigilance to guard against this, but Her Majesty's Government recognise that the blockade forces may on occasion consider it prudent to search a ship in this category. They trust however that the extent to which searches are instituted will be proportionate to the risk involved, which in their estimation is slight.

It is expected that British shipowners will instruct masters to comply with any directions from the blockade forces while reserving their legal rights where circumstances warrant this. Her Majesty's Government must also formally reserve the right to extend such diplomatic and legal protection to British shipping as may be permissible in accordance with international law.

Shipowners have agreed to supply the Ministry of Transport in London with as full and up-to-date information as possible about the movements of their ships in the area and the cargoes carried. This information will be transmitted to the United States authorities through the Shipping Attaché of Her Majesty's Embassy in Washington. Her Majesty's Government hope that this will facilitate identification and reduce the risk of delay and inconvenience to our ships.

October 25, 1962